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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,738	01/25/2002	Gilbert Wolrich	10559-618001/P12857	2797
20985	7590	06/23/2004	EXAMINER	
FISH & RICHARDSON, PC 12390 EL CAMINO REAL SAN DIEGO, CA 92130-2081			DINH, NGOC V	
			ART UNIT	PAPER NUMBER
			2187	

DATE MAILED: 06/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/057,738

Applicant(s)

WOLRICH ET AL.

Examiner

NGOC V DINH

Art Unit

2187

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,13-14,16-21 and 26-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,13,14,16-21,26-31,33-38 and 40-48 is/are rejected.
- 7) ☒ Claim(s) 32 and 39 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

FINAL REJECTION

1. This Office Action is responsive to Amendment filed 04/21/04. Claims 1-2, 13-14, 21, 26-27 have been amended, claims 8-12, 15, 22-25 have been canceled, claims 30-48 have been added.

Applicant's arguments filed 04/21/2004 have been considered by the Examiner and are deemed persuasive. Accordingly, the rejection of claims 1-29 based on Adiletta et al in the office letter dated 02/02/04 is respectfully withdrawn and the following rejection based on Adiletta et al and Patkar et al is applicable.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 6-7, 13-14, 16-19, 21, 26-28, 30-31, 34-38, 41-48 are rejected under 35 U.S.C 103(a) as being unpatentable over Adiletta PN 6,606,704, in view of Patkar et al PN 6,643,726.

Per claims 1, Adiletta teaches a method comprising: identifying memory resources for pushing data to a processing agent; arbitrating use of a push bus by using an arbiter [Fx-cmd bus arbiter, fig. 6-1; col. 3, lines 50-60]; and pushing the data from the memory resources to the processing agent through the push bus, the memory resources obtaining access to the push bus based on arbitration by the bus arbiter [fig. 6-1, 6-2, 6-4; col. 19, lines 42-65; col. 20, lines 1-20]

Adiletta does not teach a push bus arbiter using for bus arbitration scheme.

Patkar teaches push bus arbiter [col. 3, lines 25-45].

It would have been obvious to one having ordinary skill in the art at the time the invention was made to further include the push bus arbiter into Adiletta system. By merely having a dedicate push bus arbiter for the push microengines for handling their own arbitration in a distributed

manner, this dedicate arbitration scheme thus eliminates contention for memory as well as contention for a single central arbitrator. This further increase system reliability due to dual arbiter capability [e.g., push bus arbiter for push microengines, and pull bus for pull microengines] so bus arbitration can be processed over two independent data paths, enhancing speed and reliability.

Per claim 13, Adiletta teaches the claimed limitations as mentioned above, and further teaches a system comprising; memory resources; processing agent to access the memory resources [fig. 1].

Per claim 26, Adiletta teaches the claimed limitations as mentioned above, and further teaches a machine accessible medium, which when accessed results in a machine performing operations [fig. 1; col. 2, lines 55-67].

Per claim 30, Adiletta teaches a method comprising: identifying memory resources for pulling data to a processing agent; arbitrating use of a pull bus by using an arbiter [Fx-cmd bus arbiter, fig. 6-1; col. 3, lines 50-60]; and pulling the data from the memory resources to the processing agent through the pull bus, the memory resources obtaining access to the pull bus based on arbitration by the bus arbiter [fig. 6-1, 6-2, 6-4; col. 19, lines 42-65; col. 20, lines 1-20]

Adiletta does not teach a pull bus arbiter using for bus arbitration scheme.

Patkar teaches pull bus arbiter [col. 3, lines 25-45].

It would have been obvious to one having ordinary skill in the art at the time the invention was made to further include the push bus arbiter into Adiletta system. By merely having a dedicate push bus arbiter for the push microengines for handling their own arbitration in a distributed manner, this dedicate arbitration scheme thus eliminates contention for memory as well as contention for a single central arbitrator. This further increase system reliability due to dual arbiter capability [e.g., push bus arbiter for push microengines, and pull bus for pull microengines] so bus arbitration can be processed over two independent data paths, enhancing speed and reliability.

Per claim 36, Adiletta teaches the claimed limitations as mentioned above, and further teaches a system comprising; memory resources; processing agent to access the memory resources [fig. 1].

Per claim 42, Adiletta teaches the claimed limitations as mentioned above, and further teaches a machine accessible medium, which when accessed results in a machine performing operations [fig. 1; col. 2, lines 55-67].

Adiletta further teaches:

Per claims 2, 16 and 27, establishing a plurality of contexts on the programming agent and maintaining program counters [col. 3, lines 20-25; col. 7, lines 35-45] and context relative registers [col. 8, lines 10-20; col. 14, lines 55-60; read/write registers (78), (80), fig. 3-2].

Per claims 3, 18 and 28, the programming agent [16, fig. 1] executes a context and issues a read command to a memory controller in a read phase [col. 1, lines 55-60; col. 3, lines 60-67].

Per claims 4 and 19, the memory controller processes the read command to be sent to the memory resource [col. 3, line 50 to col. 4, line 40; col. 4, lines 60-67].

Per claims 6-7, 21:

Adiletta teaches that after the memory controller has completed the processing of the read command, the memory controller pushes the data to an input transfer register of the programming agent; after the data has been pushed, the programming agent reads the data in the input transfer register and the programming agent continues the execution of the context [col. 3, lines 28-50; col. 8, lines 1-25; col. 19, lines 40-55].

Per claim 14, one of the memory resources transfers data to the processing agent unidirectionally during the read phase [col. 19, lines 55-65]

Per claim 17, the context relative registers are selected from a group comprising of general purpose registers, inter-programming agent registers, static random access memory (SRAM) input transfer registers, dynamic random access memory (DRAM) input transfer registers, SRAM output transfer registers, DRAM output transfer registers, and local memory registers [fig. 1-2].

Per claim 31, the programming agent executes a context and loads the data into an output transfer register of the programming agent in a write phase [col. 1, lines 55-60; col. 3, lines 60-67].

Per claims 34 and 41, the memory controller pushes the data from the output transfer register and the memory controller sends a signal to the programming agent to unlock the output transfer register [col. 19, lines 5-25].

Per claim 35, if the context has been swapped out after the output transfer register has been unlocked, the context is swapped back in and the programming agent continues the execution of the context [col. 12, line 66 to col. 13, line 20].

Per claim 37, the processing agent transfers data to one of the memory resources unidirectionally during the write phase [col. 19, lines 55-65].

Per claim 38, the programming agent executes a context and loads the data into an output transfer register of the programming agent [col. 1, lines 55-60; col. 3, lines 60-67].

Per claims 43-48, the memory resources comprises memory controller channels [26b, fig. 1; col. 3, lines 55-60].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 5, 20, 29, 33, 40 are rejected under 35 U.S.C 103(a) as being unpatentable over Adilleta . **As per claims 5, 20, 29, 33, 40:**

Adilleta teaches the claimed limitations as noted above.

Adilleta does not teach the context is swapped out if the read data or if the write command is required to continue the execution of the context.

However, the Examiner takes Official Notice to the fact that it would have been obvious for one having ordinary skill in the art at the time the invention was made to swap out the lower priority context in order to execute the higher priority context because the lower priority context is idle and inactive while waiting for requested data arrival. One would be motivated to process the higher priority context while the lower priority context is idle and inactive for the purpose of increasing system performance.

Allowable Subject Matter

4. **Claims 32, 39** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Singhal et al PN 5,987,874 discloses push and pull arbitrating.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for response to this final action is set to expire **THREE MONTHS** from the date of this action. In the event a first response is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc Dinh whose telephone number is (703) 305-3023. The examiner can normally be reached on Monday-Friday 8:30 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald A. Sparks, can be reached on (703) 308-1756. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Application/Control Number: 10/057,738

Page 7

Art Unit: 2187

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



NGOC DINH

Patent Examiner

ART UNIT 2187

June 17, 2004



DONALD SPARKS
SUPERVISORY PATENT EXAMINER